

# PLANNING COMMISSION MINUTES

May 1, 2002

## CALL TO ORDER:

Chairman Vlad Voytilla called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

## ROLL CALL:

Present were Chairman Vlad Voytilla, Planning Commissioners Bob Barnard, Gary Bliss, Dan Maks, Bill Young and Shannon Pogue; and Alternate Planning Commissioner Steven Olson. Planning Commissioner Eric Johansen was excused.

Principal Planner Hal Bergsma, Senior Planner Barbara Fryer, Associate Planner Veronica Smith, Assistant City Attorney Ted Naemura and Recording Secretary Sandra Pearson represented staff.

The meeting was called to order by Chairman Voytilla, who presented the format for the meeting, adding that the public is welcome to attend this Work Session, although no public testimony will be accepted.

## OLD BUSINESS:

### WORK SESSION:

#### A. SCENIC TREE PROJECT

(Continued from April 24, 2002)

Discussion regarding the Scenic Tree Inventory data.

Senior Planner Barbara Fryer clarified the purpose of the work session, specifically to discuss the results of the Open House that took place on April 13, 2002, determine the most appropriate approach to present information for Public Hearing, and initiate the discussion with regard to determining the significance of specific trees, including the weighting of any of the characteristics. Observing that approximately 300 individuals had attended this Open House, she noted that she would be providing information with the assistance of a Power Point Presentation, and explained that this information summarizes the information received to date from the surveys distributed at the Open House.

1 Referring to the existing tree inventory, Ms. Fryer pointed out that this inventory  
2 is illustrated on the map to the right of the Power Point screen, observing that an  
3 update is necessary at this time. She discussed the existing regulations with  
4 regard to the various categories, including significant natural resource areas,  
5 significant trees or groves, historic trees, undeveloped properties and conditioned  
6 properties.  
7

8 In response to a question from Commissioner Young, Ms. Fryer pointed out that  
9 she had discovered additional regulations that she had not been aware of or  
10 discussed at the Open House. She mentioned a current regulation requiring a  
11 permit in order to perform any work within a right-of-way, adding that this  
12 includes cutting or removing existing trees.  
13

14 Ms. Fryer pointed out that the current procedure for this project is under  
15 Statewide Planning Goal 5, adding that this includes four processes, as follows:  
16

- 17 1. Inventory – gathering all available information with regard to the location,  
18 quality and quantity of a resource, which could be any of the following  
19 categories:  
20 ?? Corridor  
21 ?? Neighborhood Grove  
22 ?? Grove  
23 ?? Individual Tree  
24
- 25 2. Significance – listing all significant resources out of a pool of 967  
26 resources, which basically includes a logical discussion with regard to  
27 how to most effectively review the materials.  
28
- 29 3. ESEE Consequences Analysis – considering the economic, social,  
30 environmental, and energy consequences of either fully protecting,  
31 partially protecting or not protecting the resource.  
32
- 33 4. Determining a program that could include both regulatory and non-  
34 regulatory components.  
35

36 Ms. Fryer discussed the results of the surveys, as follows:

- 37 ?? Comments include property owners and neighbors suggested additions,  
38 deletions and corrections
- 39 ?? Requests for information
- 40 ?? Statements about private property rights and livability
- 41 ?? Statements about unincorporated versus incorporated properties,  
42 cooperation
- 43 ?? Statements about homeowners caring for their property as opposed to  
44 developers clear-cutting  
45

1 Observing that most homeowners were doing a good job of caring for their  
2 resources so far, Ms. Fryer pointed out that these individuals generally feel that  
3 developers are permitted to cut more trees than are appropriate. She referred to a  
4 number of communications that had been submitted by homeowners, noting that  
5 copies of these letters are available within the packets that had been distributed.  
6

7 Ms. Fryer mentioned that with regard to the Open House, most of those in  
8 attendance had indicated that the location at the library and scheduling this event  
9 on a Saturday was very convenient.  
10

11 Referring to the 97 total surveys returned with regard to the Neighborhood Grove  
12 category, Ms. Fryer pointed out that most individuals had agreed that some sort of  
13 protection is warranted for Neighborhood Groves, adding that the consensus had  
14 been that 29 individuals wanted full protection for the resources, 42 individuals  
15 wanted partial protection for the resources, and 25 individuals had wanted no  
16 protection for the resources. She mentioned that not all of the total figures add up  
17 correctly because some sections within the surveys had not been completed.  
18

19 Commissioner Young expressed his curiosity with regard to a possible breakdown  
20 between the four categories, specifically the amount of resources within each  
21 category that are already located on public land.  
22

23 Ms. Fryer advised Commissioner Young that although this information is not  
24 available at this time, staff could obtain this information through the next phase  
25 that involves adoption of the inventory. She pointed out that the overall idea of a  
26 Scenic Tree Project is not necessarily to differentiate between publicly and  
27 privately owned resources, but to review these resources as a whole and rate them  
28 evenly across the board. She mentioned that many individuals had indicated that  
29 providing information on the web would be important, adding that in terms of  
30 regulatory programs, a large number of individuals were opposed to requiring a  
31 permit for any type of tree removal.  
32

33 Commissioner Barnard emphasized that while 73% to 74% of those surveyed  
34 strongly support regulatory action, they also oppose any action.  
35

36 Expressing her agreement with Commissioner Barnard, Ms. Fryer pointed out that  
37 although these individuals are interested in some type of protection, they did not  
38 actually want the type of protection provided by the options that had been offered.  
39

40 Commissioner Barnard expressed his opinion that the general consensus appears  
41 to be that while most individuals want the trees regulated, they would like this  
42 control on other individuals' trees, rather than their own.  
43

44 Referring to 70 total surveys returned with regard to individual trees, Ms. Fryer  
45 pointed out that of those individuals surveyed, 25 had indicated that they would  
46 like the resources fully protected, 22 had indicated that they would like the

1 resources partially protected, and 24 had indicated that they wanted no protection  
2 for these resources.

3

4 Ms. Fryer discussed available different options that might benefit individuals with  
5 significant resources on their property, pointing out that while many individuals  
6 would welcome assistance in actually caring for these resources, because of  
7 security and privacy issues, few wanted to have the trees on their property  
8 publicly recognized.

9

10 Ms. Fryer pointed out that of 59 surveys returned with regard to corridors, 23 had  
11 indicated that they would like the resources fully protected, 20 had opted for  
12 partial protection, and 16 had indicated that they would like no protection of these  
13 resources.

14

15 Ms. Fryer pointed out that of 72 surveys returned with regard to groves, 32 had  
16 indicated that they would like the resources fully protected, 27 had opted for  
17 partial protection, and 12 had indicated that they would like no protection of these  
18 resources.

19

20 Referring to the actual information with regard to the inventory, Ms. Fryer  
21 mentioned that 214 resources had been inventoried with regard to neighborhood  
22 groves, and discussed the characteristics that had been separated into eight  
23 categories, as follows: 1) appearance; 2) health/invasiveness; 3) health/stock; 4)  
24 health/grove; 5) context; 6) age; 7) number of trees; and 8) rarity.

25

26 Chairman Voytilla pointed out that the value for native plants is higher, observing  
27 that they are more capable of survival in this climate, as opposed to the imported  
28 varieties, expressing his opinion that a higher ranking on what is considered a rare  
29 tree is contrary to the original concept, because a rare tree would most likely be a  
30 non-native species of tree.

31

32 Ms. Fryer discussed the different scoring categories and which issues and  
33 characteristics were considered in this scoring.

34

35 Chairman Voytilla observed other criteria beyond a particular species had been  
36 considered with regard to rarity.

37

38 Ms. Fryer clarified that rarity had also been considered with regard to the context  
39 of a particular location, emphasizing that because very few ginkgo trees exist  
40 within the City of Beaverton, these trees would be considered rare, regardless of  
41 the location.

42

43 Commissioner Barnard pointed out that although the Commission is currently  
44 evaluating the scenic value of these resources, whether or not a resource is native  
45 only serves to skew the data.

46

1 Observing that whether or not a resource is native should still be considered part  
2 of the criteria, Commissioner Maks suggested that this issue could be weighted  
3 differently than some of the other characteristics.  
4

5 Ms. Fryer suggested that the Commissioners attempt to make some decisions with  
6 regard to weighting different characteristics, adding that she would like to return  
7 this information in a format that could be easily addressed at the Public Hearing,  
8 at which time a final decision would be made.  
9

10 Observing that the results of the Open House have been discussed, Ms. Fryer  
11 mentioned that it is necessary to discuss the format for the Comprehensive Plan  
12 Amendment (CPA) that would add this inventory to Volume 3 of the  
13 Comprehensive Plan. She pointed out that it is also necessary to determine  
14 significance and discuss weighting factors, adding that there would also be a  
15 discussion that focuses only on the ESEE Analysis (full, partial and no protection  
16 of the resources). Noting that this discussion would occur on May 29, 2002, she  
17 emphasized that tonight's discussion should focus only on the inventory and  
18 information with regard to determining significance.  
19

20 Commissioner Young observed that he would like to focus on how to narrow  
21 down these resources, adding that he is having difficulty understanding how to  
22 make a decision without some idea of alternative options for addressing the  
23 issues.  
24

25 Ms. Fryer pointed out that it is necessary to impose the same criteria upon both  
26 private and public property.  
27

28 Commissioner Young requested clarification of why private and public property  
29 should be treated equally.  
30

31 Commissioner Maks mentioned that private property is also undeveloped  
32 property, observing that there are currently regulations that govern significant  
33 groves that are identified within the City of Beaverton, expressing his opinion that  
34 it is not a good idea to make the land undevelopable.  
35

36 Commissioner Young reiterated that he is having trouble understanding the  
37 rationale for giving equal consideration to private and public circumstances,  
38 expressing his opinion that these should be treated differently.  
39

40 Observing that the Beaverton School District owns a great deal of property,  
41 Commissioner Maks expressed his objection to requiring the same standards of a  
42 40-acre site owned by the school district as would be required of a private  
43 developer with regard to tree preservation in what is identified as a significant tree  
44 grove.  
45

1 Chairman Voytilla pointed out that community value issues are involved, and  
2 discussed the densification required in the 2040 process. He explained that this  
3 has had a great impact on the Beaverton School District with regard to providing  
4 public services and vehicular traffic, emphasizing that he agrees that public and  
5 private circumstances should be treated equally.

6  
7 Commissioner Barnard expressed his opinion that a property owner would never  
8 be required to trim a tree.

9  
10 Commissioner Young suggested that the Commission attempt to determine  
11 whether to convince or require a property owner to take certain actions.

12  
13 Chairman Voytilla suggested that although Commissioner Young's concerns  
14 might not be adequately addressed, deliberation would at least bring some focus  
15 and perspective to these issues.

16  
17 Ms. Fryer pointed out that staff would like some response from the  
18 Commissioners with regard to the following issues:

19  
20 ?? Significance – percentages – must score a minimum of 3 on certain  
21 characteristics or possibly 2 on certain characteristics.

22 ?? Percent rank – whether mode, average or median is being considered as  
23 the cutoff.

24 ?? Weighting -- native and age are most important to those individuals who  
25 attended the workshop and expressed an opinion with regard to resources.

26 ?? Scenic sites -- appearance must be 3 or the resource would not be  
27 considered; and rarity must be a 3 or at least a 2 or the resource would not  
28 be considered.

29  
30 Referring to the ESEE Program discussion, Ms. Fryer pointed out that staff  
31 intends to return on May 29, 2002 to discuss the generic ESEE that the consultant  
32 is preparing. Concluding, she offered to respond to questions and comments.

33  
34 Chairman Voytilla requested clarification of what his fellow Commissioners  
35 thought of the maps as presented.

36  
37 Observing that he had suggested regulatory methods, Commissioner Barnard  
38 pointed out that this had not been addressed to his satisfaction, adding that he  
39 would like to see some balance with regard to significant groves throughout the  
40 entire City of Beaverton.

41  
42 Ms. Fryer explained that the next meeting with regard to the Scenic Tree Project  
43 would include a larger set of maps, no section maps, as well as either one large  
44 City map or a set of maps broken down into quadrants as suggested by  
45 Commissioner Barnard.

46

1 Chairman Voytilla emphasized that reality checks are important, pointing out that  
2 some of the tree resources that are small at this time are going to be the future  
3 resources for this community.  
4

5 Commissioner Maks expressed his opinion with regard to the rating standards of  
6 the significance of trees, as follows:  
7

- 8 ?? Neighborhood Groves -- age and health slightly higher.
- 9 ?? Individual Trees -- age, condition, health and rarity higher.
- 10 ?? Corridor -- appearance and age higher.
- 11 ?? Groves -- health, access and age higher; did not necessarily weight native  
12 species as higher.  
13

14 8:35 p.m. – Commissioner Maks left.  
15

16 Ms. Fryer pointed out that typically, non-native groves of trees scored lower,  
17 overall, due to both the complexity issue and diversity of species, adding that  
18 these most likely were classified under neighborhood groves, rather than groves.  
19

20 Commissioner Barnard expressed his opinion that the significance of any tree  
21 grove is very dependent upon the health of the trees, adding that the age and  
22 appearance of an individual tree is of great importance. He pointed out that in his  
23 opinion, what causes a tree to be scenic is that it is not “the norm”, whether the  
24 tree is native or not.  
25

26 Commissioner Young expressed his opinion that it would be appropriate to more  
27 fully delineate with regard to the age of the larger trees, adding that he has a  
28 tendency to attribute a greater significance to the native species of trees, for a  
29 variety of reasons, not all of which are aesthetic.  
30

31 Commissioner Bliss emphasized that appearance is closely related to the  
32 condition and health of any tree, adding that it is rare that a non-native tree would  
33 be healthy and significant.  
34

35 8:50 p.m. to 8:55 p.m. – break.  
36

37 Chairman Voytilla discussed the age, appearance and health of trees, emphasizing  
38 that health is paramount with regard to this project.  
39

40 Commissioner Pogue requested clarification of staff’s intention of compiling all  
41 the information with regard to preferences into a significance weighting system.  
42

43 Ms. Fryer agreed, adding that she would like to receive some direction from the  
44 Commissioners with regard to how to weight and categorize the different criteria.  
45

1 Commissioner Barnard expressed his opinion that some input should be received  
2 from an individual who is knowledgeable with regard to trees.

3  
4 Chairman Voytilla questioned what type of input had been received from the  
5 consultants and the arborist.

6  
7 Ms. Fryer advised Chairman Voytilla that although information from consultants  
8 could be used, the issue actually involves a decision of the Planning  
9 Commissioners with regard to significance.

10  
11 Commissioner Bliss expressed his opinion that it is less important to make a  
12 personal judgment than a determination of what is beneficial with regard to the  
13 entire process.

14  
15 Ms. Fryer expressed her opinion that any tree that rates high in health or  
16 appearance should definitely be considered as a potential resource, adding that she  
17 has discovered that some of the non-native species are just as attractive as the  
18 native species.

19  
20 Commissioner Bliss requested clarification of whether Ms. Fryer is referencing  
21 *Lewis and Clark's Manual* with regard to native and non-native species.

22  
23 Ms. Fryer advised Commissioner Bliss that she is considering any tree included in  
24 the book *Plants of the Pacific Northwest Coast*, *Peterson's Field Guide to*  
25 *Western Trees*, and *a Field Guide to the Common Wetland Plants of Western*  
26 *Washington and Northwestern Oregon* to be native.

27  
28 Commissioner Bliss pointed out that any species not included in the records of  
29 Lewis and Clark is not considered native to Oregon, adding that although he is  
30 aware that his Japanese Maple Trees are not native to Oregon, they propagate  
31 themselves, survive and thrive in this climate. Observing that while he is not  
32 personally a native of Oregon, he considers his sons, who were born and raised in  
33 Oregon to be natives, and expressed his concern with creating a very narrow  
34 connotation of what should be considered native.

35  
36 Ms. Fryer advised Commissioner Bliss that although she is willing to include a  
37 list of what is considered native and what is not in the next packet, Japanese  
38 Maple Tree is definitely not considered native to Oregon.

39  
40 Commissioner Bliss reiterated that this species thrives and survives in this  
41 climate.

42  
43 Commissioner Young pointed out that Scotch Broom also thrives and survives in  
44 this climate.

45



1 Ms. Fryer emphasized that Scotch Broom is considered to be an invasive plant  
2 species.

3  
4 Chairman Voytilla clarified that the health of any specific tree would have to rate  
5 a 3 in order for a tree to be considered a significant resource.

6  
7 Ms. Fryer discussed the health of a grove of trees as it relates to the different trees  
8 within the grove.

9  
10 Commissioner Barnard questioned whether a grove of trees would actually have a  
11 life cycle.

12  
13 Ms. Fryer explained that although it is considered very rare, staff had actually  
14 discovered Oak Trees regenerating within a grove of trees, emphasizing that there  
15 were new saplings reproducing on their own.

16  
17 Principal Planner Hal Bergsma requested clarification of whether the Commission  
18 is discussing groves or neighborhood groves.

19  
20 Chairman Voytilla informed Mr. Bergsma that the issue is neighborhood groves at  
21 this time.

22  
23 Mr. Bergsma pointed out that it is necessary to consider the species with regard to  
24 the health of either a grove or a neighborhood grove.

25  
26 Chairman Voytilla mentioned that neighborhood groves generally involve more  
27 than one property, observing that homes were basically constructed around stands  
28 of trees that had been preserved. He pointed out that an individual homeowner  
29 could easily create an invasive species problem, such as the introduction of ivy.

30  
31 Ms. Fryer emphasized that a frequent issue with groves of trees involves ivy that  
32 had been planted at the base and allowed to grow up the trees. She suggested  
33 providing a public education program, adding that those individuals who do have  
34 ivy on their trees would be provided with an informational bulletin with regard to  
35 how harmful this plant is to trees as well as a class on the removal of the ivy.

36  
37 Commissioner Barnard observed that he has changed his preference, pointing out  
38 that appearance is the number one criteria for significance with regard to a grove.

39  
40 Ms. Fryer discussed Statewide Planning Goal 5, observing that it is necessary to  
41 be clear and objective with regard to the development of any type of criteria or  
42 programs.

43  
44 Referring to the green blobs and blue blobs in the Comprehensive Plan Map,  
45 Commissioner Bliss pointed out that each property is evaluated with regard to  
46 how it fits the existing criteria.

1 Commissioner Barnard clarified that these properties are evaluated only if it  
2 involves a usage that has not yet been approved, emphasizing that any use that  
3 meets the zoning requirements is allowed.  
4

5 Commissioner Bliss pointed out that it is possible to identify what is significant,  
6 based upon applicable criteria, adding that it is entirely possible that what does  
7 not meet applicable criteria at this time could meet this criteria in a year and that  
8 nothing is constant except for change.  
9

10 Referring to Statewide Planning Goal 5, Ms. Fryer clarified that following an  
11 inventory various resource categories, which in this case involves Scenic Views  
12 and Sites, there is a determination of significance, followed by a determination of  
13 which resources should be protected and how they would be protected,  
14 emphasizing that all other resources are fair game.  
15

16 Mr. Bergsma pointed out that given limited City resources, it is not likely that a  
17 major inventory project would be conducted again in the immediate future.  
18 Observing that inventory does not involve what is considered a static document,  
19 he noted that it is possible to amend this inventory by providing information for  
20 consideration by the future Planning Commission. He emphasized that  
21 information with regard to this inventory could be provided by staff, property  
22 owners or interested citizens.  
23

24 Chairman Voytilla expressed concern with regard to the invasiveness of certain  
25 species, such as ivy, observing that this has created a significant issue in the West  
26 Hills of Portland.  
27

28 Commissioner Bliss emphasized that health is the major concern with regard to  
29 significance, reiterating that any tree that is not healthy is not significant.  
30

31 Referring to a graphic illustration, Ms. Fryer pointed out that the majority of the  
32 resources do rate high with regard to the health of the inventory and stock,  
33 although they are relatively evenly matched (high, medium and low) with regard  
34 to the health of the grove.  
35

36 Mr. Bergsma mentioned that approximately twenty trees would be eliminated due  
37 to low appearance rating, adding that the grove health criteria is of greater  
38 importance.  
39

40 Chairman Voytilla emphasized that a tree would have to rate a 3 in health for all  
41 three categories in order to be considered significant.  
42

43 Commissioner Barnard pointed out that the existing neighborhood groves have  
44 already been protected in a developmental process.  
45

1 Ms. Fryer advised Commissioner Barnard that approximately 99% of the  
2 neighborhood groves have not been protected, but set aside or left over from some  
3 sort of development. She noted that staff is attempting to overlay all of the Tree  
4 Preservation Plans that have been approved with the proposed map, adding that  
5 this would provide some idea with regard to the location of the tree preservation  
6 tracts. She expressed her opinion that this would not necessarily result in any  
7 determination of significance.

8  
9 Commissioner Barnard requested clarification of why these trees that have  
10 already been protected are not actually considered significant, with different  
11 levels of mitigation with regard to potential removal.

12  
13 Ms. Fryer informed Commissioner Barnard that although this is feasible, it had  
14 not been done in conjunction with this specific project because this has not  
15 provided adequate protection in the past. She pointed out that there is an inherent  
16 conflict due to the fact that when many of these tracts are set aside, they don't  
17 function for either the resource or the individuals who reside adjacent to the  
18 resource, particularly with regard to Douglas Fir Trees.

19  
20 Mr. Bergsma clarified that some of the groves were not protected through the  
21 City's process.

22  
23 Commissioner Barnard stated that these trees that were not protected through the  
24 City's process were set aside through a separate process.

25  
26 Mr. Bergsma advised Commissioner Barnard that this is not always true, adding  
27 that groves are often trees that were planted within a neighborhood and matured  
28 over a period of time without a Tree Protection Plan.

29  
30 Chairman Voytilla emphasized that the purpose of this project is not to  
31 unnecessarily interfere with an individual's right of use of his property.

32  
33 Mr. Bergsma pointed out that it is possible to indicate that a resource is significant  
34 without interfering with a conflicting use that is deemed to be of greater  
35 importance.

36  
37 Associate Planner Veronica Smith referred to a tree that had been designated for  
38 removal due to poor health, adding that this tree had been listed as significant on  
39 the inventory. She pointed out that it might be necessary for a representative of  
40 the City of Beaverton, such as the City Arborist, to confirm that a particular tree is  
41 in poor health and should be removed.

42  
43 Observing that the Urban Forestry Department does go out and examine hazard  
44 trees, providing an opportunity for the removal of a tree that presents a hazard.  
45 On question, she advised Commissioner Bliss that the City of Beaverton has only

1           one City Arborist, there are four certified arborists on staff, adding that these four  
2           serve the City in other capacities, as well.

3  
4           Ms. Fryer suggested that staff address the Planning Commission at their meeting  
5           scheduled for May 29, 2002, with regard to further discussion of the Scenic Tree  
6           Inventory data. Observing that this agenda is open with the exception of the  
7           Scenic Tree Project, she suggested that staff could provide a series of different  
8           maps/handouts listing different groves with regard to the various categories.

9  
10          Noting that he would like to address this issue prior to May 29, 2002, Chairman  
11          Voytilla pointed out that the only items on the agenda of May 15, 2002 include a  
12          Street Name Change and a Street Vacation. He suggested that staff could provide  
13          a brief presentation at a Work Session on May 15, 2002, followed by another  
14          Work Session on May 22, 2002, adding that this issue is not yet ready for Public  
15          Hearing and it is necessary to move forward as quickly as possible.

16  
17          Following a brief discussion, Ms. Fryer suggested that each Commissioner write  
18          down the four characteristics that they have determined should have the highest  
19          ranking for submittal to staff for review.

20  
21          Chairman Voytilla expressed his opinion that this list should be limited to three,  
22          rather than four characteristics.

23  
24          Ms. Fryer requested direction on how to address the three characteristics with  
25          Commissioner Maks, and was advised to contact him directly.

26

27          **APPROVAL OF MINUTES:**

28

29                 Approval of the minutes of the meetings of March 27, 2002, and April 3, 2002,  
30                 was postponed until May 15, 2002.

31

32          **MISCELLANEOUS BUSINESS:**

33

34                 The meeting adjourned at 10:25 p.m.